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U.S. PATENT & TRADEMARK OFFICE*

Docket No. 55022-DIV (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: S. Mori et al.

SERIAL NO. 10/625,821 GROUP: Not Yet Assigned

FILED: July 22, 2003 EXAMINER: Not Yet Assigned

FOR: METHOD FOR TRANSFORMING PLANT, THE RESULTANT PLANT  
AND GENE THEREOF

COMMISSIONER OF PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

\*\*\*\*\*  
**CERTIFICATE OF MAILING**

I hereby certify that this Information Disclosure Statement and PTO-1449 form are being deposited with the U.S. Postal Service as first class mail, in an envelope addressed to: Commissioner of Patents. P.O. Box 1450, Alexandria, VA 22313-1450, on August 18, 2003.

*Lee Dunkle*

Lee Dunkle

\*\*\*\*\*  
Sir:

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, Applicant hereby brings to the attention of the USPTO Documents AA-BU as shown on the attached PTO-1449 form in connection with the examination of the above-identified patent application.

**REMARKS**

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- (1) within three (3) months of the Filing Date or before the mailing date of the First Office Action on the merits; or
- (2) within three months of the mailing date of the \_\_\_\_\_ issued by the \_\_\_\_\_ (dated \_\_\_\_\_); or

- (3) after the period defined in (1) but before the mailing date of a **Final Rejection or Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely **\$180.00**, is included herein; or
- (4) after the mailing date of a **Final Rejection or Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application. Copies of these documents (CHECK ONE):

- are enclosed herewith; or  
X have been cited in the parent application (U.S.S.N. 09/646,825, filed on September 22, 2000) and are thus not being resubmitted herein.

Neither Applicants nor their attorney make any representation that more pertinent art does not exist. It is anticipated that the Examiner will conduct a thorough search of the art and carefully consider the documents cited herein.

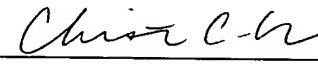
Early consideration and allowance of the application is respectfully requested.

#### FEE AUTHORIZATION

Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 04-1105. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

Date: August 18, 2003

  
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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT		DOCKET NO.: 55022-DIV	SERIAL NO.: 10/625,821
		APPLICANT(S): S. Mori et al.	
		FILING DATE: 7/22/03	GROUP NO.: Not Yet Assigned

### UNITED STATES PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO
	AA	EP 0 385 962 A	09/05/90	EPO			

### OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

BA	Rothenie, Helen M., "Plant mRNA 3' -end formation.", PLANT MOLECULAR BIOLOGY, Vol. 32, No. 1-2, 43-61 (1996).
BB	Li Qingshun et al., "The polyadenylation of RNA in plants.", PLANT PHYSIOLOGY (ROCKVILLE), Vol. 115, No. 2, 321-325 (1997).
BC	Van Der Salm, Theo et al., "Insect resistance of transgenic plants that express modified Bacillus thuringiensis cryIA(b) and cryIC genes: A resistance management strategy.", PLANT MOLECULAR BIOLOGY, Vol. 26, No. 1, 51-59 (1994).
BD	Diehn, Scott H. et al., "Premature polyadenylation at multiple sites within a Bacillus thuringiensis toxin gene-coding region.", PLANT PHYSIOLOGY (ROCKVILLE), Vol. 117, No. 4, 1433-1443 (1998).
BE	Oki Hiroyuki et al., "Introduction of the reconstructed yeast ferric reductase gene, refre1, into tobacco.", PLANT AND SOIL, Vol. 215, No. 2, 211-220 (1999).
BF	Fujimoto et al., "Insect Resistant Rice Generated by Introduction of a Modified -endotoxin Gene of Bacillus thuringiensis", BIO/TECHNOLOGY, Vol. 11, pp. 1151-1155 (1993)
BG	Perlak et al., "Modification of the coding, sequence enhances plant expression of insect control protein genes", PROC. NATL. ACAD. SCI. USA, Vol. 88, pp. 3324-3328 (1991).
BH	Iannaccone et al., "Specific sequence modifications of a cry 3B endotoxin gene result in high levels of expression and insect resistance", PLANT MOL. BIOL., Vol. 102, pp. 485-496 (1997).

Examiner:	Date:
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OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)			
BI	Pamela J. Green, "Control of mRNA Stability in Higher Plants", PLANT PHYSIOL., Vol. 89, pp. 1065-1070 (1993)		
BJ	Dancis et al., "Ferric reductase of Saccharomyces cerevisiae: Molecular characterization, role in iron uptake, and transcriptional control by iron", Vol. 89, pp. 3869-3873 (1992)		
BK	Johnston et al., "the Nucleotide sequence of Saccharomyces cerevisiae chromosome XII", NATURE, Vol. 387 (6632 Suppl), pp. 87-90 (1997)		
BL	Keith et al., "monocot and dicot pre-mRNAs are processed with different efficiencies in transgenic tobacco", THE EMBO JOURNAL, Vol. 5, pp. 2419-2425 (1986)		
BM	Wilson et al., Biochemical and Biophysical Research communications, Vol. 232, pp. 678-681 (1997).		
BN	James A. Wells, Additivity of Mutational Effects in Proteins, BIOCHEMISTRY, Vol. 29, No. 37, September 18, 1990		
BO	J. Thomas Ngo et al., Computational Complexity, Protein Structure Prediction, and the Levinthal Paradox, pp. 491-495		
BP	Peer Bork, Powers and Pitfalls in Sequence Analysis: The 70% Hurdle. GENOME RESEARCH, pp. 398-400		
BQ	Jeffrey Skolnick et al., TRENDS IN BIOTECH, 18 (1): 2000 pp. 34-39		
BR	Genetwork, TIG, June 1998, Vol. 14, No.6, pp. 248-250		
BS	Temple F. Smith, NATURE BIOLOGY, Vol. 15, November 1997		
BT	Steven E. Brenner, TIG, April 1999, Vol. 15, No. 4, pp. 132-133		
BU	Genetwork, TIG, October 1996, Vol. 12, No. 10		
Examiner:		Date:	